

Appl. No. 10/660,715
Amendment dated: September 15, 2008
Reply to OA of: June 20, 2008

REMARKS

Applicants have amended the claims to more particularly define the invention taking into consideration the outstanding Official Action. Applicants have amended claim 1 and have canceled nonelected claims 10-12 from the present application as these have been made the subject of a divisional application 11/907,548. Applicants submit that the claims now present in the application are fully supported by the specification as originally filed. No new matter is introduced.

Applicants most respectfully submit that all of the claims now present in the application are in full compliance with 35 USC 112 and are clearly patentable over the references of record. In this regard, Applicants note the comments in item 2 on page 3 of the Final Rejection with respect to argued limitations which are not present in the claims. Since it is believed that the amendment to the claims to add these limitations would be considered to create a new issue, an RCE is submitted herewith. Entry of the present amendment is in order and most respectfully requested.

The rejection of claims 1-4 and 8 under 35 USC 103(a) as being unpatentable over Trueet in view of Hecker as applied in the prior Official Action has been carefully considered but is most respectfully traversed in view of the amendments to the claims and the following comments.

Trueet discloses a device for the separation of mixtures of solids and high boiling liquids, comprising "a tubular vessel having a closed and an open end; evacuating means sealing the open end; the closed end adapted to receive a mixture of at least two solids or high boiling liquids; means for heating the vessel to provide a thermal gradient along the length of the vessel or container and to cause the sublimation of the mixture; means to monitor the sublimation of the mixture by visual or optical means adapted to receive and translate the spectrum radiated from the sublimed materials along the length of the heated vessel or by physical means adapted to receive and

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retain the sublimed materials along the length of the heated vessel" (column 2, lines 45 to 57).

Hecker discloses a sublimation apparatus, comprising "...a charge boat removably supported within..." (column 6, lines 33 to 44).

The Examiner deems that Trueet discloses a vertical sublimation apparatus, comprising: a sublimation channel body (Trueet, Figure 4, 2); a heating evaporation device (Trueet, Figure 4, 3); a condensation device (Trueet, Figure 4,3); and an incubating device (Trueet, Figure 4, 3 and 6)... Therefore, it would have been obvious to one of ordinary skill in the art to modify the apparatus taught by Trueet with the material rack taught by Hecker in order to obtain an apparatus suitable for producing high pure products.

However, according to the specification of Trueet (column 3, lines 19 to 35) and Figure 4, 3, **Trueet only discloses a metal sleeve having two slits**, which permits the generation of a thermal gradient across the sublimation vessel, and **does not serve as a heating evaporation device, a condensation device and an incubating device respectively, while the present application uses individual member for these devices, as claimed in claim 1 of the present application** "A vertical sublimation apparatus, comprising: ... a heating evaporation device...; a condensation device...; a incubating device...; wherein said heating evaporation device, said condensation device and said incubating device are individually configured". Compared to Trueet, the inventive step of the present application lies at the use of **separate design for heating evaporation device, condensation device and incubating device, which allows a better control on the temperature of each step of the purification process to increase the purity of the material.**

Therefore, claim 1 is **patentable** over Trueet. The same reason can be applied to claims 2-4. Accordingly, it is most respectfully requested that this rejection be withdrawn.

The rejection of claims 5-7 under 35 USC 103(a) as being unpatentable over

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Trueet in view of Hecker as applied to claim 1 above and further in view of Hogan as applied in the prior Official Action has been carefully considered but is most respectfully traversed in view of the amendments to the claims and the following comments.

Hogan discloses an apparatus for desorbtion that utilizes enhancements to lessen the amount of entrained particles formed during desorbtion and for lowering the operating and capital costs associated with desorbtion equipment, having a plunger for cleaning the scrubber suction chamber. "The plunger's outer surface may selectively have various configurations, such as saw teeth..." (Hogan, 0021)

However, with regard to the reasons for claim 1 as mentioned above, claims 5-7 are also **patentable** over Trueet in view of Hecker or further in view of Hogan. Accordingly, it is most respectfully requested that this rejection be withdrawn.

The rejection of claim 9 under 35 USC 103(a) as being unpatentable over Trueet in view of Hecker as applied to claim 1 above and further in view of Sandhu as applied to the prior Official Action has been carefully considered but is most respectfully traversed in view of the amendments to the claims and the following comments.

Sandhu discloses an apparatus for subliming solid precursors, having "a gasket (or o-ring) seals the connection..." (column 4, lines 61 to 63).

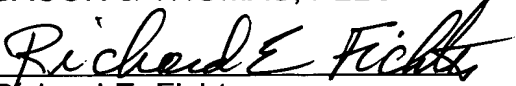
However, with regard to the reasons for claim 1 mentioned above, claim 9 is also **patentable** over Trueet in view of Hecker or further in view of Sandhu.

Finally, the sublimation apparatus disclosed in Trueet comprises only a tubular vessel; evacuating means; means for heating said vessel; and means to monitor the sublimation of mixture, which is not as described by the examiner "a sublimation channel body; a heating evaporation device...; a condensation device...; and an incubating device...". Trueet does not teach the technical features of the present invention, which emphasizes **the separate design for heating device, condensation device and incubating device**. Even if combining the above-mentioned citations, those skilled in the art cannot expect the feature. Moreover, the amended claim 1 has

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indicated that "wherein said heating evaporation device, said condensation device and said incubating device are individually configured." that is totally different from the cited prior arts. Therefore, the present invention does have inventive step.

In view of the above comments and further amendments to the claims, favorable reconsideration and allowance of all the claims now present in the application are most respectfully requested.

Respectfully submitted,
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